

1 ROBERT P. VARIAN (SBN 107459)  
Email: *rvarian@orrick.com*  
2 RUSSELL P. COHEN (SBN 213105)  
Email: *rcohen@orrick.com*  
3 LACEY BANGLE (SBN 284773)  
Email: *lbangle@orrick.com*  
4 ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
5 405 Howard Street  
San Francisco, CA 94105-2669  
6 Telephone: (415) 773 5700  
Facsimile: (415) 773 5759  
7

Attorneys for Respondents  
8 1955 CAPITAL FUND I GP LLC AND  
1955 CAPITAL CHINA FUND GP LLC  
9

[additional counsel appears on the signature page]  
10

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 CHINA FORTUNE LAND DEVELOPMENT  
16 and GLOBAL INDUSTRIAL INVESTMENT  
LIMITED,

17 Petitioners,

18 v.

19 1955 CAPITAL FUND I GP LLC and 1955  
20 CAPITAL CHINA FUND GP LLC,

21 Respondents.  
22  
23  
24  
25  
26  
27  
28

Case No. 19-cv-07043-VC

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME TO  
RESPOND TO PETITIONERS'  
MOTION TO VACATE AND FOR  
RELIEF FROM JUDGMENT**

Judge: Hon. Vince Chhabria

Pursuant to Local Rules 6-1(b) and 6-2, Petitioners China Fortune Land Development and Global Industrial Investment Limited (“Petitioners”) and Respondents 1955 Capital Fund I GP LLC and 1955 Capital China Fund GP LLC (“Respondents”) (collectively, the “Parties”), by and through their respective counsel hereby stipulate and agree as follows:

WHEREAS, Petitioners filed their Motion to Vacate and for Relief from Judgment (“Motion”) on November 25, 2020 (Dkt. No. 84);

WHEREAS, Respondents have 14 days (or until December 9, 2020) to submit their response to the Motion pursuant to L.R. 7-3(a);

WHEREAS, Petitioners have 7 days (or until December 16, 2020) to submit their reply in support of the Motion pursuant to L.R. 7-3(c);

WHEREAS, the hearing on the Motion is scheduled for January 7, 2021 at 10:00 a.m.;

WHEREAS, the Parties have conferred and agree to extend the deadlines by two days to account for the Thanksgiving holiday. This extension does not affect the scheduled motion hearing; and

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, through their respective counsel of record and subject to Court approval, as follows:

- Respondents’ Response to the Motion to Vacate and for Relief from Judgment will be due on December 11, 2020;
- Petitioners’ Reply in support of the Motion to Vacate and for Relief from Judgment will be due on December 18, 2020; and
- The hearing on the Motion to Vacate and for Relief from Judgment will be on January 7, 2021 at 10:00 a.m.

**IT IS SO STIPULATED.**

1 Dated: December 3, 2020

ORRICK, HERRINGTON & SUTCLIFFE LLP

2  
3 By: Russell P. Cohen  
4 RUSSELL P. COHEN

5 Attorneys for Respondents  
6 1955 Capital Fund I GP LLC and  
1955 Capital China Fund GP LLC

7 Dated: December 3, 2020

BAKER BOTTS LLP

8  
9 By: Cheryl A. Cauley  
10 CHERYL A. CAULEY

11 Attorney for Petitioners  
12 China Fortune Land Development and  
13 Global Industrial Investment Limited

14 **FILER'S ATTESTATION**

15 Pursuant to Civil Local Rule 5-1(a), I attest that concurrence in the filing of this  
16 document has been obtained from each of the other signatories hereto.

17  
18 Dated: December 3, 2020

ORRICK, HERRINGTON & SUTCLIFFE LLP

19  
20 By: Russell P. Cohen  
21 RUSSELL P. COHEN

22 Attorneys for Respondents  
23 1955 Capital Fund I GP LLC and  
24 1955 Capital China Fund GP LLC

\*\*\*\*

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

Date: \_\_\_\_\_ 2020

\_\_\_\_\_  
HONORABLE VINCE CHHABRIA  
UNITED STATES DISTRICT JUDGE